

EXHIBIT E



OFFICE OF THE SUPERINTENDENT
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996-5000

MAJA-SC

23 MAY 1997

MEMORANDUM FOR Cadet Todd A. Catelotti, Company A, First Regiment, United States
Corps of Cadets, Class of 1997

SUBJECT: Separation from USMA and Initiation of Recoupment

1. I have recommended that you be separated from the Academy and discharged from the US Army for failing to pass the Army Physical Fitness Test (APFT) IAW Army Regulation 350-15 and Regulations for the United States Military Academy, paragraph 10.24.
2. Your failure to pass the APFT is a breach of your service agreement. Accordingly, I have recommended that the Secretary of the Army initiate action to recoup the cost of your USMA education. By memorandum from Mr. Raymond Brown, Directorate of Resource Management, the amount to be recouped is now calculated as \$120,490.00.
3. You must acknowledge receipt of this notification on the attached endorsement and indicate whether you dispute that this debt is owed. If you dispute the validity of this debt, you must, in writing, indicate the factual reasons supporting your dispute. Your written response is due within three duty days. Failure to provide a timely response will be considered an acceptance of the validity of this debt. Any written response should be addressed to the Secretary of the Army.

A handwritten signature in black ink that reads "Daniel W. Christman".

Encl
as

DANIEL W. CHRISTMAN
Lieutenant General, US Army
Superintendent

EXHIBIT F



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
UNITED STATES MILITARY ACADEMY
WEST POINT, NEW YORK 10996

September 4, 1998


SEP 04 1998

MACC-S-PER

MEMORANDUM FOR Todd A. Catelotti, 9 Pinehill Ter, N. Adams, Massachusetts 01247

SUBJECT: Discharge from the United States Military Academy

1. The Assistant Secretary of the Army (Manpower and Reserve Affairs) has approved your discharge effective 14 August 1998. Your discharge papers are enclosed.
2. Your medical and PX privileges are no longer effective as of this date.
3. The Undersecretary of the Army Manpower and Reserve Affairs has directed that you repay the cost of your education, in the amount of \$121,039.00, in lieu of being called to active duty. Recoupment action will be initiated by the United States Military Academy. You will be receiving correspondence from the Defense Finance and Accounting Service, Indianapolis, Indiana for more details on your payment options.
4. There is no provision under federal law to waive this debt, however you may submit matters in writing challenging the amount of this debt thru S1, USCC MACC-S-PER Attn: Mrs. Diane Vonasek, Adjutant, West Point, New York 10996 and Commander Finance and Accounting Office, Attn: FINCP-BC, Ft. Benjamin, Harrison IN 46269.
5. Point of contact is the undersigned at 914-938-2213.


DIANE S. VONASEK
S1, Adjutant
United States Corps of Cadets

CF:
DAPE-MPO, LTC Dow
USMA, FAO, CPT Landes
DIRECTOR
DFAS-INDIANAPOLIS CENTER
ATTN: DFAS-I-J
INDIANAPOLIS, IN 46249-0001

DEPARTMENT OF THE ARMY
HEADQUARTERS UNITED STATES MILITARY ACADEMY
West Point, New York 10996-1692

ORDERS: 229-15

17 August 1998

CATELOTTI, TODD A., ~~229-15~~-9152, Co A-1, Cl of 1997, USCC, USMA, West Point, New York 10996-1692

You are discharged from component indicated.

Authority: AR 612-205

Effective Date: 14 August 1998

Component: Corps of Cadets, United States Military Academy

Additional instructions: (a) Cadet Catelotti departed with pay pending final separation disposition.

(b) Pursuant to authority contained in AR 612-205 Para 7a(1)(b), Table 3, Rule 1, and para 10.19a, Regulations for the United States Military Academy, above Cadet's separation is approved for removal from the United States Military Academy.

(c) Under the provisions of U.S.C. Section 2005(a), action will be initiated to recoup for the cost of USMA education (\$121,039.).

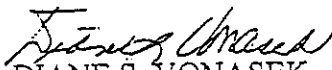
FOR ARMY USE

HOR: North Adams, MA

P1 EAD or OAD: West Point, NY

FORMAT: 500

FOR THE SUPERINTENDENT:


DIANE S. VONASEK
Adjutant, USCC



REPLY TO
ATTENTION OF


DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON DC 20310-0111

August 14, 1998

MEMORANDUM THRU DIRECTOR OF THE ARMY STAFF
FOR OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL
SUBJECT: Separation of Cadet Todd A. Catelotti, Company A-1,
Class of 1997

Reference enclosed memorandum, ODSCPER, dated August 4,
1998, subject as above.

The Superintendent's recommendation to separate Cadet Todd A. Catelotti (~~0112-01~~ 9152) from the United States Military Academy (USMA) and discharge him from the Army with an honorable discharge is approved. Under the provisions of U.S.C. Section 2005(a), action will be initiated to recoup \$121,039 for the cost of Cadet Catelotti's USMA education.


Patrick T. Henry
Assistant Secretary of the Army
(Manpower and Reserve Affairs)

Enclosure



DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR PERSONNEL
300 ARMY PENTAGON
WASHINGTON DC 20310-0300
18 AUG 1998

REPLY TO
ATTENTION OF

MEMORANDUM THRU ~~DEPUTY CHIEF OF STAFF FOR PERSONNEL~~
~~DIRECTOR OF THE ARMY STAFF~~

ANTHONY J. STAMILIO
COL. GS. DDMPM

FOR ACTING ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND
RESERVE AFFAIRS)

SUBJECT: Separation of Cadet Todd A. Catelotti, Company A-1, Class of 1997

The purpose of this memorandum is to obtain approval for the separation of Cadet Todd A. Catelotti, ~~01A-311~~ 9152, Class of 1997, from the United States Military Academy (USMA), discharge him from the Army with an honorable discharge and recoup the cost of his USMA education.

The Superintendent, USMA, recommends Cadet Catelotti's separation from USMA due to his repeated failure to pass the Cadet Physical Fitness Test (CPFT)(TAB A). Cadet Catelotti was not under any existing profile during any of his APFT failures. Because Cadet Catelotti's failure to meet CPFT standards constitutes a breach of his service agreement under the provisions of Regs, USMA and his cadet service agreement (USMA 5-50), the Superintendent further recommends that the Army initiate recoupment action for the cost of his USMA education in the amount of \$121,039 (Tab B).

Under the provisions of 10 USC 2005(h), the Secretary of the Army may, at any time before 1 October 1998, modify a service agreement to reduce the active duty service obligation (ADSO) specified in the agreement if the Secretary of the Army determines that it is in the best interests of the United States to do so; thereby, reducing the amount required to be reimbursed to the United States proportionately with the reduction in the period of obligated active duty service. Accordingly, if the Secretary of the Army determines that Cadet Catelotti should be required to reimburse the United States a sum less than \$121,039, he may do so by reducing Cadet Catelotti's ADSO.

OTJAG has no legal objection (TAB C), and the Office of the Chief, Legislative Liaison does not object to this recommendation.

Recommend Cadet Catelotti be separated from USMA, discharged from the Army with an honorable discharge, and that action be initiated to recoup the cost of his USMA education.

AS Stamilio

ANTHONY J. STAMILIO
Colonel, GS
Acting Director of Military
Personnel Management

Enclosure

CAUTION: NOT TO BE USED FOR
IDENTIFICATION PURPOSESTHIS IS AN IMPORTANT RECORD.
SAFEGUARD IT.ANY ALTERATIONS IN SHADED
AREAS RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle) CATELOTTI, TODD ANDREW		2. DEPARTMENT, COMPONENT AND BRANCH ARMY-USMA-CADET		3. SOCIAL SECURITY NO. 070 84 9152	
4.a. GRADE, RATE OR RANK CADET	4.b. PAY GRADE SPECIAL	5. DATE OF BIRTH (YYMMDD) 19750404		6. RESERVE OBLIG. TERM. DATE Year NA Month NA Day NA	
7.a. PLACE OF ENTRY INTO ACTIVE DUTY WEST POINT, NY		7.b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known) NORTH ADAMS, MA			
8.a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND USMA, WEST POINT, NY		8.b. STATION WHERE SEPARATED USMA, WEST POINT, NY			
9. COMMAND TO WHICH TRANSFERRED NA				10. SGLI COVERAGE <input type="checkbox"/> None Amount: \$ 100,000	
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) NONE//NOTHING FOLLOWS		12. RECORD OF SERVICE		Year(s)	Month(s)
		a. Date Entered AD This Period		93	06
		b. Separation Date This Period		98	08
		c. Net Active Service This Period		05	01
		d. Total Prior Active Service		00	00
		e. Total Prior Inactive Service		00	00
		f. Foreign Service		00	00
		g. Sea Service		00	00
h. Effective Date of Pay Grade		93	06	23	
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) NATIONAL DEFENSE SERVICE MEDAL//NOTHING FOLLOWS					
14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed) NONE//NOTHING FOLLOWS					
15.a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		Yes	No	15.b. HIGH SCHOOL GRADUATE OR EQUIVALENT	
			X	Yes	
			X	No	
16. DAYS ACCRUED LEAVE PAID NONE					
17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
18. REMARKS DATA HEREIN SUBJECT TO COMPUTER MATCHING WITHIN DOD OR WITH OTHER AGENCIES FOR VERIFICATION PURPOSES AND DETERMINING ELIGIBILITY OR COMPLIANCE FOR FEDERAL BENEFITS// ITEM 12c INCLUDES SERVICE AS A USMA CADET FROM 930628-980814 AND IS NOT CREDITABLE FOR COMMISSIONED SERVICE//MEMBER HAS NOT COMPLETED FIRST TERM OF SERVICE//NOTHING FOLLOWS					
19.a. MAILING ADDRESS AFTER SEPARATION (Include Zip Code) 9 PINEHILL TERRACE NORTH ADAMS, MA 01247			19.b. NEAREST RELATIVE (Name and address - include Zip Code) PAUL CATELOTTI 9 PINEHILL TERRACE NORTH ADAMS, MA 01247		
20. MEMBER REQUESTS COPY 6 BE SENT TO MA DIR. OF VET AFFAIRS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			22. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) DIANE S. VONASEK, ADJUTANT, USCC		
21. SIGNATURE OF MEMBER BEING SEPARATED MEMBER NOT AVAILABLE TO SIGN					

DD Form 214, NOV 88

Previous editions are obsolete.

MEMBER-1

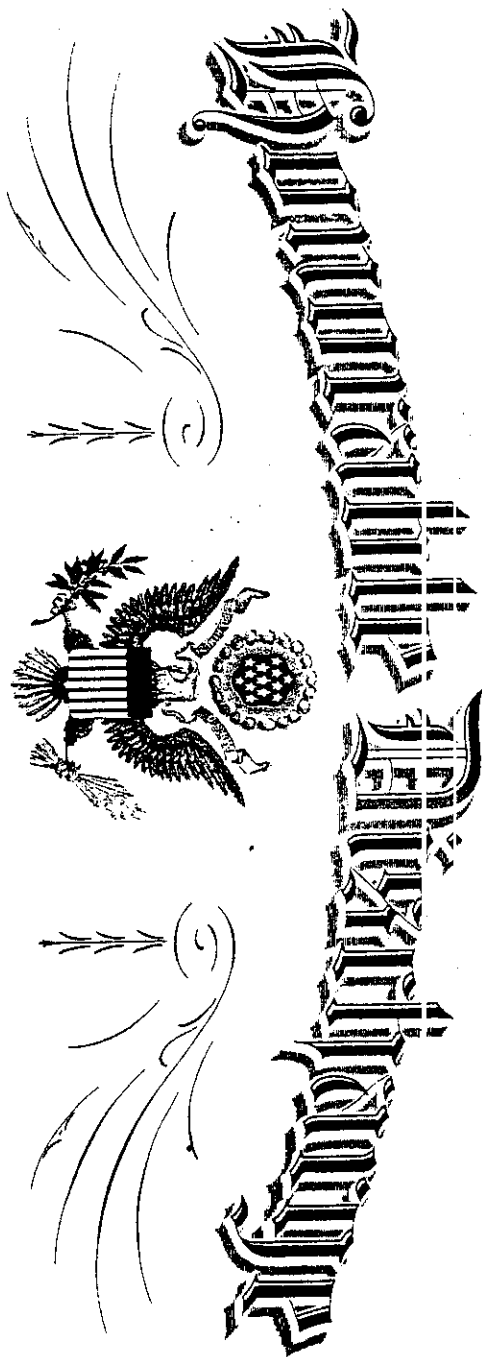
Page 5

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle) CATELOTTI, TOLD ANDREW		2. DEPARTMENT, COMPONENT AND BRANCH ARMY-USMA-CADET		3. SOCIAL SECURITY NO. 9112	
4.a. GRADE, RATE OR RANK CADET	4.b. PAY GRADE SPECIAL	5. DATE OF BIRTH (YYMMDD) 1975/01/24	6. RESERVE OBLIG. TERM. DATE Year NA Month NA Day NA		
7.a. PLACE OF ENTRY INTO ACTIVE DUTY WEST POINT, NY		7.b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known) NORTH ADAMS, MA			
8.a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND USMA, WEST POINT, NY		8.b. STATION WHERE SEPARATED USMA, WEST POINT, NY			
9. COMMAND TO WHICH TRANSFERRED NA			10. SGLI COVERAGE <input type="checkbox"/> None Amount: \$ 100,000		
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) NONE//NOTHING FOLLOWS		12. RECORD OF SERVICE		Year(s)	Month(s)
		a. Date Entered AD This Period		93	06
		b. Separation Date This Period		98	08
		c. Net Active Service This Period		05	01
		d. Total Prior Active Service		00	00
		e. Total Prior Inactive Service		00	00
		f. Foreign Service		00	00
		g. Sea Service		00	00
h. Effective Date of Pay Grade		93	06	28	
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) NATIONAL DEFENSE SERVICE MEDAL//NOTHING FOLLOWS					
14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed) NONE//NOTHING FOLLOWS					
15.a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		Yes	No	15.b. HIGH SCHOOL GRADUATE OR EQUIVALENT	
			X		
16. DAYS ACCRUED LEAVE PAID				NONE	
17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
18. REMARKS DATA HEREIN SUBJECT TO COMPUTER MATCHING WITHIN DOD OR WITH OTHER AGENCIES FOR VERIFICATION PURPOSES AND DETERMINING ELIGIBILITY OR COMPLIANCE FOR FEDERAL BENEFITS// ITEM 12c INCLUDES SERVICE AS A USMA CADET FROM 930628-980814 AND IS NOT CREDITABLE FOR COMMISSIONED SERVICE//MEMBER HAS NOT COMPLETED FIRST TERM OF SERVICE//NOTHING FOLLOWS					
19.a. MAILING ADDRESS AFTER SEPARATION (Include Zip Code) 9 PINEHILL TERRACE NORTH ADAMS, MA 01247			19.b. NEAREST RELATIVE (Name and address - include Zip Code) PAUL CATELOTTI 9 PINEHILL TERRACE NORTH ADAMS, MA 01247		
20. MEMBER REQUESTS COPY 6 BE SENT TO MA DIR. OF VET AFFAIRS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		22. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) DIANE S. VONASEK, ADJUTANT, USCC			
21. SIGNATURE OF MEMBER BEING SEPARATED MEMBER NOT AVAILABLE TO SIGN					

SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

23. TYPE OF SEPARATION DISCHARGE	24. CHARACTER OF SERVICE (Include upgrades) HONORABLE	
25. SEPARATION AUTHORITY USMA REGS	26. SEPARATION CODE HQ USMA ORDER#229-15/17 AUG 98	27. REENTRY CODE N/A
28. NARRATIVE REASON FOR SEPARATION FORM 5-50 APFT FAILURE		
29. DATES OF TIME LOST DURING THIS PERIOD NONE		30. MEMBER REQUESTS COPY 4 <input type="checkbox"/> COPY REQUESTED initials



from the Armed Forces of the United States of America

Respectfully That

TODD ANDREW CAPELOTTI, ~~602-407~~ 9152 CADET USMA

was Honorably Discharged from the

United States Army

on the 14TH *day of* AUGUST 1998 *This certificate is awarded*

in recognition of Honorable and Faithful Service

Diane S. Ponasek
DIANE S. PONASEK
Adjutant, USMC